

HOUSE BILL No. 1030

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-15-16.

Synopsis: Leave for organ or bone marrow donation. Allows a state employee of the executive branch to take a paid leave of absence for the purpose of being an organ donor or bone marrow donor.

Effective: July 1, 2002.

Grubb, Dillon, Welch

January 8, 2002, read first time and referred to Committee on Ways and Means.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1030

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-15-16 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]:

4 **Chapter 16. Leave for Bone Marrow or Organ Donation**

5 **Sec. 1. This chapter applies to an employee of a state agency,**
6 **including an employee who is a party to:**

7 (1) a collective bargaining agreement entered into after June
8 30, 2002, unless otherwise provided in the collective
9 bargaining agreement; or

10 (2) an employment contract with a state agency entered into
11 after June 30, 2002, unless otherwise provided in the
12 employment contract.

13 **Sec. 2. This chapter does not apply to an inmate placed in the**
14 **unclassified service under IC 4-15-2-7.**

15 **Sec. 3. As used in this chapter, "bone marrow" means the soft**
16 **material that fills human bone cavities.**

17 **Sec. 4. As used in this chapter, "employee" means a person who**



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is employed full time by a state agency.

Sec. 5. As used in this chapter, "organ" means a lung, a kidney, or another organ that requires the continuous circulation of blood to remain useful for purposes of transplantation.

Sec. 6. As used in this chapter, "state agency" means an authority, a board, a branch, a commission, a committee, a department, a division, or another instrumentality of state government. The term does not include the following:

- (1) A state educational institution (as defined in IC 20-12-0.5-1).
- (2) A state elected official's office.
- (3) The legislative and judicial branches of state government.
- (4) The state police department.

Sec. 7. If an employee of a state agency:

- (1) requests a leave of absence from the employee's agency so that the employee may serve as a bone marrow donor; and
- (2) provides the employee's agency with written verification by a physician that the employee is to serve as a bone marrow donor;

the state agency shall grant the employee a leave of absence of five (5) work days during which the employee may serve as a bone marrow donor.

Sec. 8. If an employee of a state agency:

- (1) requests a leave of absence from the employee's agency so that the employee may serve as a human organ donor; and
- (2) provides the employee's agency with written verification by a physician that the employee is to serve as a human organ donor;

the state agency shall grant the employee a leave of absence of thirty (30) work days during which the employee may serve as a human organ donor.

Sec. 9. (a) An employee who is granted a leave of absence under this chapter is entitled to receive the employee's regular salary without interruption during the leave of absence.

(b) A leave of absence granted to an employee under this chapter is in addition to vacation days, sick days, personal days, and compensatory time that the employee accrues.

(c) An employee's service shall be considered uninterrupted by a leave of absence under this chapter for purposes of determining the following:

- (1) Seniority.
- (2) Salary or salary advancement.

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- 1 **(3) Performance awards.**
- 2 **(4) The receipt of a benefit that may be affected by a leave of**
- 3 **absence.**
- 4 **Sec. 10. A state agency may not retaliate against an employee**
- 5 **for requesting or obtaining a leave of absence under this chapter.**

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